

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:)	
)	
DANIEL BENJAMIN SNYDER,)	CASE NO. 21-01942-DSC
)	
DEBTOR.)	CHAPTER 7

MOTION FOR RELIEF FROM STAY

Comes now Bobby Wells (“Wells” or “Movant”), and represents as follows:

1. The above-named Debtor filed a Chapter 7 bankruptcy petition with this Court on August 18, 2021.
2. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§1334, 157 and 11 U.S.C. §362.
3. There is a case pending in the Circuit Court of Jefferson County styled: *Bobby Wells v. City Federal Association, Inc., Community Management Associates, Inc, Daniel Snyder, Baker Payne, Esparza Enterprises, LLC, Juan Pedro Esparza and Juan Luis Esparza*. Case Number CV-2019-904861 (“State Court Case”). See Affidavit attached as Exhibit “A”.
4. Wells alleges numerous claims involving breach of fiduciary duty, negligence, breach of contract, fraud, etc.
5. Trial is set in the State Court Case for October 18, 2021.
6. Pursuant to 11 U.S.C. §362(d)(1), cause exists to grant Wells relief from the Stay in order to pursue insurance coverage of Great American Insurance Company available to the Debtor in defense of the State Court Case.
7. Wells avers that if the automatic stay is not modified so that it may pursue the

insurance coverage, that Wells will suffer further irreparable injury, damage and loss.

8. Wells requests that the provisions of Bankruptcy Rule 4001(a)(3) not apply to an order entered on this Motion.

WHEREFORE, ABOVE PREMISES CONSIDERED, Bobby Wells requests that the Court enter an order modifying the automatic stay imposed by 11 U.S.C. §362 so that Movant may proceed under applicable non-bankruptcy law to pursue the insurance coverage available to the Debtor in defense of the State Court Case, and for such other and further relief as is just.

/s/ Steven D. Altmann
Attorney for Bobby Wells

OF COUNSEL:

The Nomberg Law Firm
3940 Montclair Road, Ste 401
Birmingham, AL 35213
(205) 930-6900
steve@nomberglaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Motion was mailed, United States Mail, postage prepaid, upon the following on this the 26th day of August, 2021.

Daniel Benjamin Snyder
3358 Rosemary Lane
Birmingham, AL 35216

C. Taylor Crockett
2067 Columbiana Road
Birmingham, AL 35216

James G. Henderson
1210 Financial Center
505 N. 20th Street
Birmingham, AL 35203

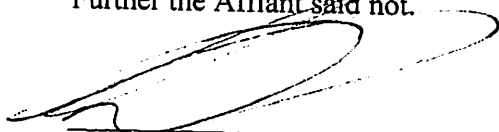
/s/ Steven D. Altmann
OF COUNSEL

AFFIDAVIT OF DANIEL J. BURNICK

My name is Daniel J. Burnick, and I am over 19 years of age. I have personal knowledge of the facts presented in this affidavit, and I further state that these facts are true and correct.

1. I represent the Plaintiff, Dr. Bobby Wells, in the case of Wells v. Daniel Snyder, et. al., pending in the Circuit Court of Jefferson County, Alabama, Case Number CV-2019-904861.
2. This case is currently set for trial on October 18, 2021 before the Honorable Robert Vance, Circuit Court Judge, Jefferson County, Alabama.
3. Defendant Daniel Snyder has filed a Suggestion of Bankruptcy in this case.
4. Based on information provided by Mr. Snyder's attorney, there is insurance coverage for Mr. Snyder concerning the claims pending against him.
5. It is my intent, on behalf of the Plaintiff, Dr. Wells, to pursue the claims against Mr. Snyder only as to the limits of the insurance policy covering him.

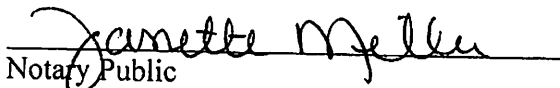
Further the Affiant said not.



Daniel J. Burnick

I, a Notary Public, hereby certify that Daniel J. Burnick whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of the affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of August, 2021


Notary Public

Print Name Janette Miller
My commission expires:

Nov. 27, 2024

